

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:)	
)	
Protecting the Privacy of Customers of)	WC Docket No. 16-106
Broadband and Other Telecommunications)	
Services)	

**OPPOSITION TO FRIVOLOUS
JOINT PETITION FOR STAY**

Summary

A stay of an “*Order or Injunction*” is extraordinary relief and should be “*rarely granted*”. Extra-ordinary relief may be granted only after considering the “*more rigorous standard*” required. Petitioners failed to show a Stay is warranted on any logical rational at all, except perhaps to encourage other conspirators to continue violating consumer privacy due to a lack of privacy complaints from consumers with no privacy-honoring ISP competitor to chose. Therefore, the Petitions should be denied. This opposition did not waste paper or time researching but wishes to include all arguments entered in the Opposition-Concurrence to Petitions for Reconsideration now pending as all of these reasons also apply. This *pro se* litigant seeks Rule 11 Sanctions due to blatant violations of FRCP Rule #11 if this Rule applies to Commission Proceedings. This litigant apologizes for not spending more time explaining what should be as obvious to competent readers as the only EVEN prime number being TWO. The Petition for Stay and nine frivolous Petitions for Reconsideration have only one honorable outcome and this outcome has absolutely nothing to do with Party affiliations, or President Trump, but will most certainly determine the FCC Chairman at the end of 2017. The Chairman of the FCC at the end of 2017 will protect interests of young children exposed to common carriers of interstate communications.

Issuing an extraordinary Stay of the broadband privacy rules egregiously harms consumers and defies the public wishes demonstrated consistently in this very proceeding and will be further

demonstrated when Chairman Commissioner Pai seeks required renomination in May 2017 when a five year appointment expires and broadband users demand an FCC Chairman protecting the public interests first and not corporate ISPs like Verizon.

Reliance on ISPs' voluntary privacy policies is ignorant and illogical.

Loss of goodwill will soon be firmly associated with ISPs' secret use of consumers' private information without notice or consent. Data breach notifications called an unwarranted costly hassle by ISPs. ISPs fail to respect private data security though **required already by law**. The loss of goodwill, in fact, is why anti-consumer Chairman Commissioner Ajit Pai should very soon hear "**YOU'RE FIRED**" from the Senate around May instead of a quiet renomination. Careful reconsideration is warranted today after five years representing Verizon, et. al. though appointed to guard the interests of broadband users. Yes; Those voting for President Trump value privacy "*to choose*"¹ too much to continue fighting an unelected Commissioner acting to protect corporate interests and not the average child including healthy children after 20-weeks gestation with heartbeats.

Joint Petitioners have absolutely **NO CHANCE** of being allowed to continue illegally profiting from violations of "*online*" privacy. The Commission may not postpone implementation of the *Order* and thereby conspire with ISPs to violate the constitutionally guaranteed privacy², as would be the case if Chairman Commissioner Ajit Pai et. al. Grant the Stay and alleges privacy violations were not forbidden since about March 1, 1792³ and the illegal *status quo* is preferred.

The Commission has the authority and **THE DUTY** to adopt the Order per 47 U.S.C §222. Congress authorized **and requires** the Commission to protect the privacy of data telecommunications carriers collect from customers many decades ago. The rules are reasonable and proportional to the Commission's duty in order to avoid further litigation for failing to enforce the safety of interstate wire communications after admitting "*online*" was ALWAYS wire communications defined in 47 U.S.C. §153 ¶(59) in 1934. The FCC should have had *Reno v ACLU* (96-511) declared a VOID judicial mistake of fact since obvious late in the prior century when criminal wire and radio broadcasts of free pornography destroyed the innocence of U.S. children. The average U.S. child is exposed to free "*online*" pornography before puberty⁴ when interests in sex naturally develop. This Litigant hoped Commissioner Chairman Ajit Pai, a father of two young children, would see this duty and recognize the impossibility of caregivers or parents to always monitor near-ubiquitous common carriers.

1 To privately choose even to kill a human embryo but not a Fetus with a heartbeat after 20 weeks wholly in the interests of liberty. The allowed privacy rational for choosing abortion of gestation does not exist as Clinton just learned because many who voted for Trump, like this litigant, would have preferred any other pro-Fetal human dignity candidate.

2 "the right of the people to be secure in their persons, houses, papers, and effects,...."

3 https://en.wikipedia.org/wiki/Fourth_Amendment_to_the_United_States_Constitution#Proposal_and_ratification

4 <http://www.protectkids.com/effects/harms.htm>

Granting A Stay Harms Consumers.

The broadband privacy rules ensure customers can soon have meaningful choice and strong security protections for information collected by ISPs *secretly* in violation of the 4th Amendment for decades. This illegal use of private customer data created an illegal warped “*internet ecosphere*”.

ISPs now allege failure of the FCC to follow the Communications Act while ignoring criminal wire and radio broadcasts of free pornography caused detrimental reliance on a *de facto* administrative change of law outside Congress after *Reno v ACLU* (96-511) became a VOID factual mistake. The average consumer of free “*online*” porn broadcasting is addicted to “*indulgences*”, or free sins, or being able to look at wire/radio broadcasts of free “*online*” pornography without anyone *allegedly* being able to check.

In reality; ISPs already know most Article III Justices, most of Congress, many SEC staff, and most FCC Commissioners regularly consume free pornographic broadcasts.⁵ The FCC has a statutory obligation to prohibit this simply to comply with laws passed decades before MOST of these consumers of free “*online*” pornography were born or on June 25, 1948⁶.

Every ISP requests their secret peepholes into the lives of Americans across the country not be obfuscated to allow continued creation of comprehensive customer profiles to manipulate consumers *secretly*. If the FCC Stays the data security and breach notification requirements, consumers will be harmed and have no avenue for redress of egregious grievances continuing for over two decades and will have no future protection of private information after aware of this prior abuse.

5 Broadcast: 1. To communicate or transmit (a signal, a message, or content, such as audio or video programming) to numerous recipients simultaneously over a communication network. 2. To make known over a wide area. **3.** Scattered over a wide area. A billboard or website broadcast a message. <http://www.thefreedictionary.com/broadcast>

6 18 U.S.C. §§(1462, 1464)

Large amounts of money made abusing consumer data for targeted advertising gave the ISPs incentive for this “*hail Mary*” attempt to perpetuate unjust ISP enrichment. Enough corporate donor ISPs were perhaps listed to keep this matter politically insulated and continue despite U.S. law?

Conclusion

For the foregoing reasons and those in the Opposition-Concurrence⁷, the Commission must deny the Petition for Stay and quickly address and reject 9 of the 10 Petitions for Reconsideration or execute the obvious duty of the FCC now. This short objection is adequate elucidation. The other filed opposition should have already made this obvious more cautiously and with proper Article III tenor.

Chairman Commissioner Ajit Pai defended corporate wealth already instead of the working class children all Commissioners should protect. Chairman Commissioner Ajit Pai alleged to revoke carefully considered *Orders* after the frivolous Petition for Stay was entered with a confusing statement of support for corporate wealth already⁸. The Petition for a Stay was made more obviously a frivolous Joint Petition for Stay due to not being joined by Level 3 Communications LLC. due to this IP common carrier telecommunications provider not desiring to be seen even remotely as not respecting fundamental customer privacy like all ISPs did with absolutely no concern for goodwill due the near complete regional ISP monopolies because wires must connect even “*wireless*” communications beyond about 229 miles with Mt. Everest on the horizon as should be an obvious fact and not require a footnote because the Earth is round.

Respectfully submitted,

/s/Curtis J. Neeley Jr.

⁷ <https://ecfsapi.fcc.gov/file/10124981626551/Opposition-concurrence.pdf>

⁸ https://ecfsapi.fcc.gov/file/10206219426726/16-106_Motion%20for%20Protective%20or%20Clarifying%20Order.pdf